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Date: 14<sup>th</sup> November 2023

Dear Sirs

**The Southern Gas Networks PLC (Kingsferry Gas Pipeline Replacement Project) Compulsory Purchase Order 2023 (the 'Order')**  
**Objector: Manweb Nomineco Limited ('Manweb')**  
**Objector address: Highdown House, Yeoman Way, Worthing, West Sussex, England, BN99 3HH**  
**Plots: Plot 36 in respect of rights of access and Plot 46 in respect of rights of access / rights granted by a Deed dated respect of rights granted by Deed dated 18 January 1988**

We manage Manweb's property portfolio and write on their behalf.

We refer to the above Order which was made by Southern Gas Networks PLC ("SGN") on 12 October 2023 for the purposes of facilitating the construction and operation of gas pipeline infrastructure within SGN's gas distribution network ("the Project").

Notice of making of the Order was served upon Manweb by SGN by letter dated 18 October 2023.

### **New Rights**

Manweb owns the freehold property known as Site 4, 7 And Part 18, Ridham Dock, Lord Nelson Road, Iwade, Sittingbourne ("the Property") which is registered at HM Land Registry under title number TT117785. The Property is subject to a leasehold interest in favour of MVV Environment Ridham Limited, which operates a biomass power plant facility ("the Facility") at the Property.

The Property benefits from access rights over plots 35 and 36, over which rights are proposed to be acquired by SGN for the purposes of access, construction, drilling and installation of the Project ("New Rights"). Manweb is therefore a qualifying person under section 12/12(2A) of the Acquisition of Land Act 1981.

Whilst Manweb does not object to the principle of the Project, it does object to the compulsory acquisition of the New Rights for the following reasons:

1. No alternative means of access or proposals for access during construction of the Project have been offered by SGN to Manweb and its tenants to the Property; it is not clear how this will be provided.
2. At no point has SGN afforded Manweb an opportunity to comment upon the Order prior to its making and/or discuss whether a solution could be found that would ensure continuity of access to the Property. Given the implications of restricting access to the Facility, and the lack of clarity provided by SGN about the impacts and alternative access to date, Manweb has no choice but to object to the Order as made.

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### **Grounds of Objection**

Accordingly, Manweb objects to the inclusion of the New Rights in the Order for the following reasons:

SGN has not sought to negotiate a private treaty agreement with Manweb before making the Order;

SGN has failed to consider alternatives to the compulsory acquisition of the New Rights, such as an agreement for temporary use and works;

The New Rights have the potential to prejudice the access to the Property, and the operation of an essential business (i.e. the Facility) operating from the Property;

SGN has failed to consider whether mitigation measures could be implemented to mitigate the impacts of the Order and the exercise of the New Rights upon the Property.

Manweb remains willing to agree a negotiated position but, in the absence of a binding commitment, or sufficient reassurances regarding continuity of access to and from the Property, Manweb must maintain an objection to the confirmation of the Order in respect of the New Rights.

Manweb reserves the right to add to, amend or vary the above grounds of objection should it deem necessary in due course.

Yours faithfully

**CBRE Investment Management**